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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRIS MCALARY

Appellant(s)

vs.

CASH CLOUD INC; & OFFICIAL
COMMITTEE OF UNSECURED CREDITORS

Appellee(s)

Case No.: 2:23-cv-01580-JAD
Appeal Reference No.: 23-21

BK Case No.: 23-10423-mkn
Chapter: 11

**ORDER GRANTING STIPULATION
TO CONTINUE STAY OF APPEAL**

ECF No. 12

CHRIS MCALARY

Appellant(s)

vs.

CASH CLOUD INC; & OFFICIAL
COMMITTEE OF UNSECURED CREDITORS

Appellee(s)

Upon the joint request of Appellant, Chris McAlary ("McAlary" or "Appellant"), by and through his counsel, the law firm of Carlyon Cica, Chtd.; and Appellees, Cash Cloud Inc. ("Debtor") and the Official Committee of Unsecured Creditors of Cash Cloud, Inc. dba Coin Cloud (the "Committee" and, collectively with McAlary and Debtor, the "Parties"), by and through their

1 respective undersigned counsel;

2 WHEREAS, on September 18, 2023, the Bankruptcy Court entered its Order on Motion to
3 Convert Case to a Chapter 7 (the “Conversion Decision”) [ECF No. 1249];

4 WHEREAS, on September 29, 2023, McAlary filed his Notice of Appeal of the Conversion
5 Decision [ECF No. 1319];

6 WHEREAS, on October 2, 2023, the Notice of Appeal on the Conversion Decision was
7 docketed with United States District Court Case No. 2:23-cv-01580-JAD (the “Conversion Appeal”);

8 WHEREAS, Mr. McAlary’s Opening Brief was due on or before December 11, 2023;

9 WHEREAS, on November 28, 2023, the Parties stipulated in the underlying bankruptcy case
10 (Case No. BK-S-23-10423-MKN) to attend a settlement conference and to request that this Court
11 stay the appeal of the Conversion Decision before this Court until further notice (the “Stipulation”)
12 [ECF Nos. 1512, 1515];

13 WHEREAS, on November 28, 2023, the United States Bankruptcy Court, District of Nevada
14 (the “NVBC”) granted the Parties’ Stipulation [ECF No. 1518];

15 WHEREAS, on November 29, 2023, the Parties stipulated in the Conversion Appeal (Case
16 No. 2:23-cv-01580-JAD) to stay the Conversion Appeal “pending further order of this Court, and
17 that all deadlines be vacated” (the “Stipulation to Stay”) [ECF No. 8 in the Conversion Appeal].
18 Additionally, the Parties stipulated “that the Parties shall file a status report with this Court within
19 thirty (30) days following the conclusion of their settlement conference.” *Id.*;

20 WHEREAS, on November 30, 2023, this Court granted the Parties’ Stipulation to Stay [ECF
21 No. 9 in the Conversion Appeal];

22 WHEREAS, on March 11, 2024, the Parties filed their joint status report and requested the
23 Court “continue to stay the appeals through April 30, 2024, with an additional status report to be
24 filed by April 15, 2024” [ECF No. 10 in the Conversion Appeal]; and

25 WHEREAS, the Parties are continuing to engage in settlement negotiations.

26 **NOW, THEREFORE, IT IS HEREBY ORDERED** that **the stay will continue in effect**
27 **pending further order of the Court;**

28 **IT IS FURTHER HEREBY ORDERED** that, on stipulation of the Parties or on motion of

any Party, the Court may order that the briefing schedule be reinstated;

IT IS FURTHER HEREBY ORDERED that the Parties must file joint status reports on the 15th of each month until the stay is lifted.

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ORDER

IT IS SO ORDERED:


UNITED STATES DISTRICT COURT JUDGE

DATED: April 19, 2024